



10-03-02

PATENT
450118-4848AF/11
2700
10/09/02IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Kazue NAKAMURA
 Serial No. : 09/446,769
 Filed : May 5, 2000
 For : DATA STORAGE AND RETRIEVAL APPARATUS AND
 METHOD OF THE SAME
 Examiner : S. T. Channavajjala
 Art Unit : 2177

745 Fifth Avenue
 New York, NY 10151
 Tel: 212-588-0800

Assistant Commissioner for Patents
 Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required.
 The fee has been calculated as shown below.
 This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

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Claims as Amended

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	17	Minus	** =20	* 0 x	\$18 (9)	= \$ 0
Independent claims	2	Minus	*** =3	* 0 x	\$84 (42)	= \$ 0
			Total additional fee for this amendment			\$ 0

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

This application contains a multiple dependent claim. The required fee of \$280(140) has been previously paid or is paid herewith .

This response is being filed within the second month following the expiration of the term originally set therefor. This is a petition to request a 2-month extension of time. A check in the amount of \$400.00, which covers the cost of the petition, is enclosed.

A check in the amount of \$____ is attached, which covers the cost of additional claims.

Charge \$____ to Deposit Account No. 50-0320.

Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

EXPRESS MAIL

Mailing Label Number: EV 141993635 US

Date of Deposit: October 2, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Box AF, Washington, DC 20231.

Barnet Shindlman
 (Typed or printed name of person mailing paper or fee)

Barnet Shindlman
 (Signature of person mailing paper or fee)

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
 Attorneys for Applicants

By:

Dennis M. Smid
 Dennis M. Smid
 Reg. No. 34,930
 Tel: 212-588-0800

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PATENT
450118-4848

SC
#12A
10/7/02

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Barret Shindlman
(Typed or printed name of person mailing paper or fee)
Barry Shindlman
(Signature of person mailing paper or fee)

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Technology Center 2100

AMENDMENT AFTER FINAL

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Dear Sir:

In response to the Final Office Action of May 2, 2002, a two-month extension of time requested herein, please amend the above-referenced application as follows.